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3 BILL NO. G-88-03-27 (AS AMENDED) (AS AMENDED)

4 GENERAL ORDINANCE NO. G- 06-88

5 AN ORDINANCE OF THE COMMON COUNCIL  
6 OF THE CITY OF FORT WAYNE, INDIANA  
7 AMENDING SEC. 25-1 OF THE MUNICIPAL  
8 CODE OF THE CITY OF FORT WAYNE,  
9 INDIANA

10 WHEREAS, Section 25-1 of the Municipal Code of the  
11 City of Fort Wayne, Indiana is in need of revision.

12 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
13 OF THE CITY OF FORT WAYNE, INDIANA THAT:

14 SECTION 1. Current Sec. 25-1 is hereby repealed  
15 and replaced with the following language:

16 Sec. 25-1 Obstruction generally.

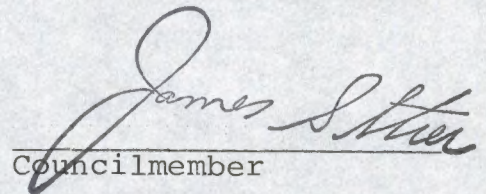
- 17 A) It shall be unlawful for any person to obstruct the  
18 free passage along and upon any street, sidewalk,  
19 space between sidewalk and curbing, or commonly  
20 traveled portion of a street or other public place,  
21 and to place or permit to be placed upon such street,  
22 sidewalk, space between sidewalk and curbing, or  
23 commonly traveled portion of a street or any other  
24 public place, anything or object whatsoever so as  
25 to obstruct or block the use thereof, or so to  
26 endanger the life or limb, or property of others  
27 using such passage.
- 28 B) The city by and through its Board of Public Works & Safety, may  
29 grant a permit to exempt any person or organization  
30 from the prohibitions set out in the preceding  
31 paragraph.
- 32 C) The city by and through its Board of Public Works & Safety, shall  
enact rules and regulations governing the use of  
its rights-of-way by those persons or organizations  
granted a permit pursuant to paragraph (B) of this  
section. The rules and regulations may include:
- 1) the price of the permit.
  - 2) limitations on the size, location and  
duration of any structure placed on the  
city's rights-of-way.
  - 3) a requirement that the permittee indemnify  
the city against any loss arising out of  
the use of the permit.
  - 4) any other matter affecting the public health,  
safety and welfare.
- D) The rules and regulations enacted by the Board of Public  
Works and Safety shall be subject to subsequent  
ratification by resolution of the Common Council.



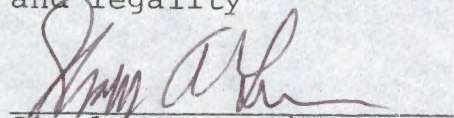
Page 2

Section 2. Severability. If any sentence, section or other part of this section shall be found to be invalid, such invalidity shall not affect the remaining provisions and the remaining provisions shall continue to be in full force and effect.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Councilmember

Approved as to form  
and legality

  
Stanley A. Levine  
Council Attorney



1  
2 BILL NO. G-88-03-27

3  
4 GENERAL ORDINANCE NO. \_\_\_\_\_

5 AN ORDINANCE OF THE COMMON COUNCIL OF  
6 THE CITY OF FORT WAYNE, INDIANA AMENDING  
7 SEC. 25-1 OF THE MUNICIPAL CODE OF THE  
8 CITY OF FORT WAYNE, INDIANA.

9 WHEREAS, Section 25-1 of the Municipal Code of the City  
10 of Fort Wayne, Indiana is in need of revision.

11 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
12 THE CITY OF FORT WAYNE, INDIANA THAT:

13 SECTION 1. Current Sec. 25-1 is hereby repealed and  
14 replaced with the following language:

15 Sec. 25-1. Obstruction generally.

16 It shall be unlawful for any person to obstruct the free  
17 passage along any street, sidewalk, space between sidewalk  
18 and curbing, or commonly traveled portion of a street or  
19 other public place, and to place or permit to be placed upon  
20 such street, sidewalk, space between sidewalks and curbing,  
21 or commonly traveled portion of a street or any other public  
22 place, anything or object whatsoever so as to obstruct or  
23 block the use thereof, providing, however, that this  
24 ordinance shall not be used to restrict the members of a  
25 union certified by the National Labor Relations Board, from  
26 carrying on a legal strike. The use of public lands shall  
27 be handled in a manner to avoid injury to the public.

28 Section 2. Severability. If any sentence, section, or  
29 other part of this section shall be found to be invalid,  
30 such invalidity shall not affect the remaining provisions  
31 and the remaining provisions shall continue to be in full  
32 force and effect.

Section 3. That this Ordinance shall be in full force and  
effect from and after its passage and any and all necessary  
approval by the Mayor.

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Approved as to form  
and legality.

Stanley A. Levine  
Attorney for Common Council



Read the first time in full and on motion by Bradbury, seconded by Salinas, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 3-22-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Stier, seconded by Salinas, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>	<u>0</u>		
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
STIER	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 4-12-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 5-06-88

on the 12th day of April, 1988

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL Thomas E. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of April, 1988, at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 19th day of April, 1988, at the hour of 10:30 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



BILL NO. G-88-03-27

REPORT OF THE COMMITTEE ON PUBLIC RELATIONS

WE, YOUR COMMITTEE ON PUBLIC RELATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA AMENDING SEC. 25-1 OF  
THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) AS AMENDED

YES

NO

J. S. Stier JAMES S. STIER

CHAIRMAN

Donald J. Schmidt DONALD J. SCHMIDT

VICE CHAIRMAN

Charles B. Redd CHARLES B. REDD

David C. Long DAVID C. LONG

Mark E. Giaguinta MARK E. GiagUINTA

Paul M. Burns PAUL M. BURNS

Samuel J. Talarico SAMUEL J. TALARICO

Thomas C. Henry THOMAS C. HENRY

Janet G. Bradbury JANET G. BRADBURY

CONCURRED IN 4-12-88

SANDRA E. KENNEDY  
CITY CLERK